

SENATE BILL REPORT

SB 6816

As Reported by Senate Committee On:
Agriculture & Rural Economic Development, February 4, 2010

Title: An act relating to special permitting for certain farm implements.

Brief Description: Concerning special permitting for certain farm implements.

Sponsors: Senator Schoesler.

Brief History:

Committee Activity: Agriculture & Rural Economic Development: 2/02/10, 2/04/10
[DPS].

SENATE COMMITTEE ON AGRICULTURE & RURAL ECONOMIC DEVELOPMENT

Majority Report: That Substitute Senate Bill No. 6816 be substituted therefor, and the substitute bill do pass.

Signed by Senators Hatfield, Chair; Schoesler, Ranking Minority Member; Becker, Haugen, Morton and Shin.

Staff: Bob Lee (786-7404)

Background: It is unlawful for any vehicle or load to exceed a height of 14 feet above the ground's surface. There is an exception to this requirement for authorized emergency vehicles or repair equipment of a public utility engaged in a reasonably necessary operation.

To move self-propelled farm implements that exceed 16 feet in width but are less than 20 feet wide, a special permit is required. However, the 14-foot height limit applies to these implements. To obtain a special permit to move farm implements, the person must be a farmer, or be engaged in the business of selling, repairing, and/or maintaining farm implements.

Generally, the special permit to move farm implements is restricted to six counties or less. When transporting the farm implement, several safety precautions must be used including oversized load signs, adherence to published curfew or commuter hour restrictions, the use of red flags on implement's corners, the use of warning lights and slow moving vehicle emblems, and the use of escort vehicles. Farmers and farm implement dealers are exempt

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from escort vehicle operator certification requirements and the use of height measuring devices on escort vehicles.

Summary of Bill (Recommended Substitute): The Department of Transportation (department) is directed to review administrative rules that contain the 14 foot height limitation for the agricultural implement special permit. In conducting the review, the department must invite representatives of farmers, farm equipment dealers, the State Patrol's Commercial Vehicle Enforcement Office, and other interested stakeholders to participate. The department is to consider specific areas of the state where there is a need for transporting farm implements over 14 feet in height, and the ability to provide an exception to that limit without causing damage to road overpasses or other overhead obstructions. The department is encouraged to conduct its review in a timely manner so that any rule changes can be implemented expeditiously. The department is to report to the legislative committees with jurisdiction over transportation and agricultural issues by December 1, 2010, the findings and conclusions of its review.

EFFECT OF CHANGES MADE BY AGRICULTURE & RURAL ECONOMIC DEVELOPMENT COMMITTEE (Recommended Substitute): Instead of addressing the issue by a statutory change, the Department of Transportation was directed to look at modifying the administrative rules and to report back to the appropriate legislative committees.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: None.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Original Bill: PRO: The goal is to allow farm implements that exceed the current 14-foot height limitation to be moved using the same special permit procedures that applies to other farm implements.

OTHER: Making the change in the law makes it apply statewide. Department of Transportation (DOT) has concerns with damage to bridges caused by over-height equipment. The agency prefers to address this issue through the rule adoption process which could limit the geographic area and specify the conditions when movement of over-height farm implements could occur.

Persons Testifying: PRO: Scott Dahlman, Farm Bureau.

OTHER: Jim Wright, DOT.